

REAL ESTATE APPRAISER EXAMINING BOARD[193F]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 543D.5, the Real Estate Appraiser Examining Board hereby gives Notice of Intended Action to amend Chapter 15, “Supervisor Responsibilities,” Iowa Administrative Code.

The proposed amendments to Chapter 15 would change the years of experience required to be a supervisor, remove unnecessary language, clarify what is considered good standing, and add language to clarify requirements from the Appraiser Qualifications Board.

Consideration will be given to all written suggestions or comments on the proposed amendments received no later than 4:30 p.m. on June 4, 2013. Comments should be addressed to Toni Bright, Iowa Real Estate Appraiser Examining Board, 1920 SE Hulsizer Road, Ankeny, Iowa 50021. E-mail may be sent to toni.bright@iowa.gov.

A public hearing will be held on June 4, 2013, at 8:15 a.m. in the Second Floor Professional Licensing Small Conference Room, 1920 SE Hulsizer Road, Ankeny, Iowa, at which time persons may present their views on the proposed amendments either orally or in writing. At the hearing, any person who wishes to speak will be asked to give the person’s name and address for the record and to confine remarks to the subject of the proposed amendments.

These amendments do not have any fiscal impact to the state of Iowa.

These amendments are subject to waiver or variance pursuant to 193F—Chapter 11.

After analysis and review of this rule making, no direct impact on jobs has been found.

These amendments are intended to implement Iowa Code chapters 17A, 272C and 543D.

The following amendments are proposed.

ITEM 1. Amend rule 193F—15.1(543D) as follows:

193F—15.1(543D) Description. The importance of the role of the supervisory appraiser places ethical and professional standards on those who serve in this capacity. The function of the supervisory appraiser is to help adequately prepare a trainee to demonstrate professional competence and work independently upon issuance of full licensure. The supervisor is considered an integral part of the training process, and supervision should be considered a full-time, hands-on responsibility. ~~To this end, the board has promulgated the following best practices to clarify the board’s intent for supervisory appraisers.~~

ITEM 2. Amend rule **193F—15.2(543D)**, numbered paragraph “9,” as follows:

9. Inspect each appraised property with the trainee until the supervisor determines the trainee is competent, in accordance with the COMPETENCY RULE of USPAP for the property type and geographic location.

ITEM 3. Amend rule 193F—15.3(543D) as follows:

193F—15.3(543D) Requirements for a supervisory appraiser.

15.3(1) ~~Effective January 1, 2006, a~~ A supervisory appraiser shall:

~~1. a.~~ a. Have a minimum of ~~two~~ three years of experience as a certified appraiser, ~~and be in good standing in all states jurisdictions, and have had no disciplinary action that affects the supervisor’s legal eligibility to engage in appraisal practice~~ be actively certified in Iowa during all periods when providing supervision.

~~2.~~ b. Have a maximum of three trainees and shall register with the board the name, office address and starting date of each trainee, as well as any termination dates (voluntary or involuntary).

~~3.~~ c. Be responsible for the training and direct supervision of the associate appraiser by accepting full responsibility for the appraisal report by signing and certifying that the report is in compliance with USPAP.

4. d. Keep copies of associate appraiser reports for a period of at least five years or at least two years after final disposition of any judicial proceeding in which testimony was given, whichever period expires last.

e. Comply with all applicable requirements of the Appraiser Qualifications Board.

15.3(2) For purposes of this rule, “good standing” means the absence of a disciplinary action in any jurisdiction which affects the appraiser’s legal eligibility to engage in an appraisal practice as a certified appraiser. Examples of disciplinary actions that would affect an appraiser’s legal eligibility to engage in an appraisal practice as a certified appraiser include revocation, suspension, or voluntary surrender to resolve a disciplinary investigation or action, or a practice restriction that limits the type, geographic location, or scope of an appraiser’s practice or an appraiser’s authority to practice without the supervision of another certified appraiser. An appraiser subject to such a disciplinary action would not be in good standing until three years after the successful completion or termination of the sanction which affected the appraiser’s legal eligibility to engage in an appraisal practice as a certified appraiser.

15.3(3) An appraisal experience log shall be maintained jointly by the supervisory appraiser and the associate appraiser as more fully described in rule 193F—4.2(543D).

15.3(4) Effective January 1, 2015, a certified appraiser shall perform as a supervisory appraiser in Iowa only if the appraiser has completed a course that, at a minimum, complies with the specifications for course content established by the Appraiser Qualifications Board. The course is to be completed before the certified appraiser provides supervision.

ITEM 4. Amend rule 193F—15.4(543D) as follows:

193F—15.4(543D) Restrictions. The board may prohibit or further restrict an appraiser’s authorization to act as a supervisory appraiser ~~while the appraiser is under an unsatisfactory~~ if the board deems such action necessary to protect the public as part of the remedies or sanctions imposed in a disciplinary order action.